UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,062	11/30/2000	Paul W. Dent	4015-721	2720

24112	7590	07/21/2004	

COATS & BENNETT, PLLC
P O BOX 5
RALEIGH, NC 27602

EXAMINER
POLTORAK, PIOTR

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/727,062	DENT, PAUL W.
	Examiner	Art Unit
	Peter Poltorak	2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 November 2000_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-19_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _19_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _3_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 have been examined.

Priority

2. No claim for priority has been made in this application.

The effective filing date for the subject matter defined in the pending claims in this application is 11/30/2000.

Drawings

3. The drawings are objected to because of the use of the same label "156" for two different objects (Fig. 3). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any

required corrective action in the next Office action. The objection to the drawings will

not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

4. Claims 6-10 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

5. Claim 6 recites the limitation "said display " in lines 9 and 11. There is insufficient

antecedent basis for this limitation in the claim.

6. Claims 7-10 are rejected by virtue of their dependence.

7. Claim 12 is indefinite because it is unclear whether the claim limitation addresses a

devices contacting said secure processor, said memory and a smart card or whether

it refers to a device containing a smart card and the smart card contains said secure

processor and said memory.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public
use or on sale in this country, more than one year prior to the date of application for patent in the United
States.

8. **Claims 1- 7, 11, 13-14, 16 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by *Windows NT* as evidenced by *Ozzie et al. (Patent No. 5664099), NT Workstation Resource Kit (http://web.archive.org/web/20000306015737/http://is-it-true.org/nt/atips/atips71.shtml), Carter (Alan R. Carter,"Windows NT 4.0 MCSE Study Guide", 1997, ISBN: 0764530879) and TechNet (http://www.mabuse.de/sources/Microsoft%20TechNet%20-%20Securing%20Your%20NT%20Network%20Starts%20With%20the%20Basic s.htm).***

9. *Carter* teaches a secure transaction *(logon process)* wherein a user is prompted to enter a password by displaying a password entry screen *(logon information box , Carter pg. 389) and NT Workstation Resource Kit* teaches the password entry screen displaying authentication indicia *(user name of the last person who logged on to the system, NT Workstation Resource Kit, § 1)*.

10. *Carter* also teaches obtaining said password and indicia from a user and storing authentication indicia recognized by said user in said computing device in a security module *(SAM, Carter, pg.389)*, storing and saving current setting of a status table/alternate status table *(Carter, fig.21-9, pg.795)* in random access memory used by an operating system in said computing device, each entry in said status table relating to a currently saved **(in memory)** current executing program *(process)* and containing a status indication *(CPU, CPU time)*

associated with said currently executing program *(Carter, fig.21-9, pg.795)* including the program needed by the security module *(winlogon, Carter, fig.21-9, pg.795 and TechNet).*

11. Password entry screens are removed upon successful entry of a password.

12. The publications do not explicitly teach removing said password entry screen from said display nor do they explicitly teach displaying said authentication indicia for a limited time. However, this feature is inherent as *Carter* shows on page 389 that in order to have password entry screen displayed a user action is required.

13. **Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being anticipated by *Windows NT* as described above.**

14. *Carter* teaches a computing device as stated above.

15. *Carter* does not teach inhibiting context-switching by an operating system in said computing device to programs not needed by said security module.

16. The examiner takes Official Notice that context-switching is old and well-established in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to inhibit context-switching to programs not needed by said security module.

17. **Claims 9 and 17 are rejected under 35 U.S.C. 103(a) as being anticipated by *Windows NT* as described above.**

18. *Carter* teaches a computing device as stated above.

19. *Carter* does not teach changing status table settings to inhibit execution by said operating system of said programs not needed by said security module.

20. The examiner takes Official Notice that control of programs through status table settings is old and well-established in the art. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to inhibit programs during login by switching status table settings.

21. **Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being anticipated by *Windows NT* as described above.**

22. *Carter* teaches a computing device as stated above.

23. *Carter* does not teach storing an alternate status table in random access memory used by an operating system in said computing device, each entry in said alternate status table relating to a program needed by said security module, and instructing said operating system to use said alternate status table while said password entry screen is displayed.

24. The examiner takes Official Notice that use control of programs through alternate status tables with entries relating to programs needed by security modules is old and well-established in the art. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an alternate status table during login.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

25. **Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Zizzi (U.S. Patent No. 6185681).**

26. *Carter's* teaching in reference to the device comprising said secure processor and said memory has been discussed previously.

27. *Carter* does not teach the device comprising a smart card. Zizzi teaches the device comprising secure processor and memory *(Fig. 1)* and a smart card (*with a secure processor and memory, Zizzi, pg.2 lines 65-68)*; as it is obvious from *Fig. 1* that the device contains a card reader *(object 26)* in which card is inserted. *Zizzi* also teaches that smart cards used along with users' passwords enhance security *(Zizzi, pg.2 lines 65-68)*.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to improve the device containing said secure processor and said memory so that it would have comprised a smart card in Windows NT. One of ordinary skill in the art would have been motivated to perform such a modification to increase security of the system utilizing Windows NT.

28. **Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Laing et al. (U.S. Patent No. 5534857).**

29. *Carter's* teaching in reference to the device comprising said secure processor and said memory has been discussed previously.

30. *Carter* does not teach the device comprising a smart card. *Laing et al.* teach authentication using a smart card *(Laing et al. col. 1 lines 54-56 and col.2 lines 1-10)*. Smart cards are portable and very secure.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to improve the device to comprise a smart card containing secure processor and memory. One of ordinary skill in the art would have been motivated to perform such a modification to increase security of the system and overcome any compatibilities issues.

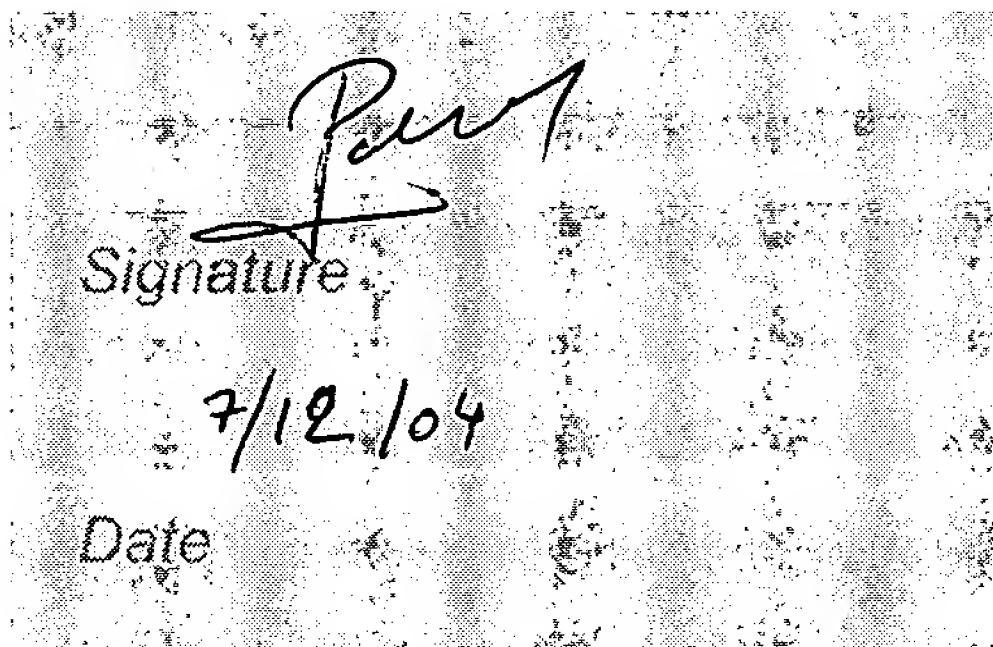Appropriate correction is required.

Conclusion

No claim is allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (703) 305-0719. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information

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Private PAIR system, contact the Electronic Business Center (EBC) at 866-

217-9197 (toll-free).

Signature

7/12/04

Date

Douglas J. Meislahn